IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.837 of 2008
SHAMBHU SAH
Versus
STATE OF BIHAR & ANR
---

2 27.11.2008. Heard learned counsel for the parties.

The petitioner has come to the court for quashing of the seizure of 288 bags of wheat and 152 bags of rice, each of 50 kilograms seized by the Block Supply Officer, Kanti, Muzaffarpur dated 24.5.2008 giving rise to Kanti ps case no. 131of 2008 registered under section 7 of the EC Act and for release thereof.

As no useful purpose can be served by keeping the perishable food grains in police custody, without going into the merits of the case, this Court directs that if the petitioner files an application before the SDJM(West),Muzaffarpur, he will pass order releasing the food grains in question after being satisfied with its ownership on obtaining adequate sureties, subject to the final result of the criminal case as well as confiscation proceeding initiated in this respect.

Let this order be faxed to the court concerned at the cost of the petitioner.

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Shashi. **(S.P.Singh,J).**